

HUMAN SERVICES DEPARTMENT[441]**Adopted and Filed**

Pursuant to the authority of Iowa Code section 249A.4 and 2015 Iowa Acts, chapter 137, section 149(1)(f)(1), as amended by 2016 Iowa Acts, House File 2460, section 27, the Department of Human Services hereby amends Chapter 79, “Other Policies Relating to Providers of Medical and Remedial Care,” Iowa Administrative Code.

This amendment increases the home health low utilization payment adjustment (LUPA) rates by 2.93 percent. This is estimated to be the maximum possible increase within the \$1 million of state funding appropriated for this purpose, as required by 2015 Iowa Acts, chapter 137, section 149(1)(f)(1), as amended by 2016 Iowa Acts, House File 2460, section 27.

Notice of Intended Action was published in the Iowa Administrative Bulletin as **ARC 2847C** on December 7, 2016. This amendment was also Adopted and Filed Emergency and published as **ARC 2846C** on the same date and became effective November 15, 2016. The Department received no comments during the public comment period. This amendment is identical to that published under Notice of Intended Action and Adopted and Filed Emergency.

The Council on Human Services adopted this amendment on January 11, 2017.

This amendment does not provide for waivers in specified situations since the increases are required by state law.

After analysis and review of this rule making, no impact on jobs has been found.

This amendment is intended to implement Iowa Code section 249A.4 and 2015 Iowa Acts, chapter 137, section 149(1)(f)(1), as amended by 2016 Iowa Acts, House File 2460, section 27.

This amendment will become effective March 8, 2017, at which time the Adopted and Filed Emergency amendment is hereby rescinded.

The following amendment is adopted.

Amend subrule **79.1(2)**, provider category “Home health agencies,” as follows:

<u>Provider category</u>	<u>Basis of reimbursement</u>	<u>Upper limit</u>
Home health agencies		
1. Skilled nursing, physical therapy, occupational therapy, speech therapy, home health aide, and medical social services; home health care for maternity patients and children	Fee schedule. See 79.1(26). For members living in a nursing facility, see 441—paragraph 81.6(11) “r.”	Effective 7/1/13: Medicare LUPA rates in effect on July 1, 2013, updated July 1 every two years. Effective 7/1/16: Medicare LUPA rates in effect on 6/30/16 plus a 2.93% increase.
2. Private-duty nursing and personal cares for members aged 20 or under	Retrospective cost-related. See 79.1(27)	Effective 7/1/13: Actual and allowable cost not to exceed a maximum of 133% of statewide average.
3. Administration of vaccines	Physician fee schedule	Physician fee schedule rate.

[Filed 1/11/17, effective 3/8/17]

[Published 2/1/17]

EDITOR’S NOTE: For replacement pages for IAC, see IAC Supplement 2/1/17.